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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

HON. THOMAS B. LINDBERG

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Rachel Roche, Deputy Clerk

DATE: May 26, 2010

**FILED**

DATE: May 26, 2010

3:03 O'Clock P.M.

JEANNE HICKS, CLERK

BY: Rachel Roche

Deputy

**TITLE:**

STATE OF ARIZONA

(Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

**COUNSEL:**

Yavapai County Attorney (e)

(For Plaintiff)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

**HEARING ON:**

Jury Trial / Jury Selection – Day 12

Pending Motions

**NATURE OF PROCEEDINGS**

**COURT REPORTER**

Sandra K Markham

**START TIME: 8:51 a.m.**

**APPEARANCES:** Joseph Butner, Deputy County Attorney  
Jeff Paupore, Deputy County Attorney  
Steven DeMocker, Defendant  
John Sears, Counsel for Defendant  
Larry Hammond, Counsel for Defendant  
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant and Counsel.

After consultation with both sides, the Court excuses the two jurors scheduled for today, [REDACTED] and [REDACTED], subject to recall.

~\*~\*~\*~\*~ Recess – 8:53 a.m. ~\*~\*~\*~\*~

At 11:06 a.m., Court reconvenes with the presence of all parties previously present.

The Court states that it has received the motion from the State to dismiss the death penalty. There being no objection, the allegation of the death penalty is dismissed. The order is signed this date.

Discussion takes place with regard to scheduling issues.

~\*~\*~\*~\*~ Recess – 11:08 a.m. ~\*~\*~\*~\*~

At 1:29 p.m., Court reconvenes with the presence of all parties previously present, with the exception of Larry Hammond.

Counsel present argument with regard to jury issues.

Jana Johnson is sworn and testifies.

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Defense Counsel renews their motion to preclude Jana Johnson.

The witness exits the Courtroom.

Counsel argue the Motion to Preclude Jana Johnson.

Jana Johnson re-enters the courtroom, resumes the witness stand and testifies further.

The witness is excused.

Counsel continue to argue the motion.

Exhibits 2222 and 2223 are admitted into evidence without objection.

The Court **ORDERS** excluding the testimony of Jana Johnson based upon a Rule 403 evaluation.

Discussion takes place with regard to pending motions and scheduling issues.

The Court **GRANTS** the requested relief of interviewing the jurors with regard to what they may have read or heard about this case.

The Court stands at recess until 9:00 a.m. tomorrow.

**END TIME: 3:03 p.m.**

cc: VS (e)  
Jury Commissioner (re: excused jurors)  
Dean Trebesch (Contract Administrator) (PD) (e)  
Division 6  
YCSO (e)  
John Napper, Counsel for Renee Girard (e)  
Christopher DuPont, Trautman DuPont PLC, 1726 North Seventh Street, Phoenix, AZ 85006,  
Counsel for Victims Charlotte and Katherine DeMocker